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DEPT. OF TRANSPORTATION  
DOCKETS

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U.S. Department of Transportation  
Docket Management System  
400 7th Street, SW.  
Room PL 401  
Washington, DC 20591-0001



Dear Sirs:

**Subject:** **Petition for Exemption from 14 CFR Sections 25.785(j), 25.807(d), (g)(1) & (i)(1), 25.809(a), 25.810(a)(1), 25.812(e), 25.813(b), 25.857(e) and 25.1447(c)(1), to Allow Carriage of up to 4 Supernumeraries on the Flight Deck of the 767-300 Boeing Converted Freighter (BCF) Airplane While Maintaining a Class E Cargo Compartment, Technical Services Project ID 40219, BDCO Project Number PS05-0037**

**Model:** 767-300  
**BDCO Project No.:** PS05-0037  
**EASA Project No.:** NA  
**EASA Level:** NA  
**Response Due:** February 06, 2008

**Reference(s):** FAA Exemptions 4808, 4808A  
7469, and 8258

### Introduction

Boeing Commercial Airplanes is currently engaged in the development of a modification of a 767-300 Passenger airplane to a 767-300 "Boeing Converted Freighter" (BCF) configuration. This modification results in the conversion of the main deck of the airplane from a passenger cabin to a Class E cargo compartment (as is defined in 14 CFR 25.857(e)), and an interior reconfiguration of the flight deck of the airplane to allow carriage of up to 6 persons.

The 767-300BCF will provide air cargo transportation in the same manner as other freight/cargo airplanes in its class (e.g. the 767-300F). 767-300BCF operations will include the transportation of cargo that can require additional persons on the airplane for cargo handling and management. The carriage of such persons (supernumeraries) is defined in 14 CFR 121.583. This petition for exemption

seeks relief to allow supernumerary carriage and supernumerary access to the main deck Class E cargo compartment while in flight.

As part of the 767-300BCF Passenger to Freighter modification, Boeing will convert the flight deck layout to match the Model 767-300F production freighter configuration.

The flight deck reconfiguration includes the deletion of the flight deck partition and installation of a rigid cargo barrier with three supernumerary seats mounted on its forward face. One floor mounted supernumerary / FAA observer seat is retained from the passenger airplane along with the two flight crew seats. In total, there is a maximum capacity of six persons: two flight crew plus four supernumeraries.



Boeing is pursuing an Amended Type Certificate to convert Boeing Model 767-300 Series Passenger airplanes into Boeing Converted Freighters under BDCO Project PS05-0037. After the approval of the Amended Type Certificate the 767-300BCF certification basis will be added to Type Certificate Data Sheet A1NM. The conversion from passenger to freighter will change the flight deck occupancy from a maximum of four persons to a maximum of six persons. As the Boeing Converted Freighter modification removes most of the passenger carriage and egress capabilities of the airplane, exemption from certain regulations regarding these capabilities must be sought in order to preserve both the economic advantages of the freighter configuration and the essential safety provisions for the airplane occupants.

**Affected sections of 14 CFR Part 25:**

**Section 25.785(j)** Amendment 25-88, requires that there be a firm handhold to enable occupants to steady themselves when moving through the aisles in moderately rough air.

**Section 25.807(d) & (g)(1)** Amendment 25-114 requires that for a passenger seating configuration of 1 to 9 seats, if overwing exits are not provided, there must be at least one exit in each side that meets the minimum dimensions of a Type III exit, and that the number of passenger seats permitted is based on the smaller of the two exits.

**Section 25.807(i)(1)** Amendment 25-114 requires that for airplanes that have a passenger seating configuration of nine or fewer seats there must be at least one ditching emergency exit above the waterline in each side of the airplane, meeting at least the dimensions of a Type IV exit.

**Section 25.809(a)** Amendment 25-116 requires that each emergency exit must have means to permit viewing of the conditions outside the exit when

the exit is closed, including viewing of the likely areas of evacuee ground contact.

**Section 25.810(a)(1)**, Amendment 25-114, requires that each non-overwing emergency exit more than 6 feet from the ground have an approved means to assist occupants in descending to the ground. For passenger exits this must be a self-supporting slide.



**Section 25.812(e)** Amendment 25-116 requires that floor proximity emergency escape path markings must provide emergency evacuation guidance for passengers when all sources of illumination more than 4 feet above the cabin aisle floor are totally obscured.

**Section 25.813(b)** Amendment 25-116 requires that adequate space to allow crewmember(s) to assist in the evacuation of passengers must be provided at emergency exits and that each assist space must be of sufficient size to enable a crewmember, standing erect, to effectively assist evacuees.

**Section 25.857(e)**, Amendment 25-93, requires that when a Class E cargo compartment is installed on an airplane, the airplane is used for carriage of cargo only.

**Section 25.1447(c)(1)**, Amendment 25-116, requires that oxygen dispensing units must be automatically presented to the occupants before the cabin pressure altitude exceeds 15,000 feet. The total number of dispensing units and outlets must exceed the number of seats by at least 10 percent. There must be at least two oxygen dispensing units connected to oxygen terminals in each lavatory.

**Related sections of the regulations:**

Section 121.583(a) contains, in pertinent part, a listing of categories of people who may be carried aboard an airplane in part 121 service without complying with all the requirements of part 121 for passenger-carrying airplanes.

**The petitioner supports its request with the following information:**

*Information to Support Grant of Exemption*

1. The 767-300 Boeing Converted Freighter (BCF) airplane will be equipped with a solid 9g cargo barrier installed forward of and opposite to Door 1 Left. Door 1 Right will be deactivated, with Door 1 Left as the primary emergency exit. Further, the limited number of personnel that may be carried on the flight deck

and the availability of the existing flight deck windows for emergency egress insure adequate levels of safety for the flight deck occupants.

2. The flight deck of the Model 767-300BCF is equipped with openable No. 2 left and right flight deck windows previously certified as flight crew emergency exits. The right hand window will be modified to add capability to be opened from outside of the airplane, and its means of opening will be marked on the exterior airplane fuselage. The ropes / lanyards installed at the windows will be retained as the emergency egress assist means for these exits.
3. The 767-300BCF airplanes will be modified to include an exterior light on the left side of the lower forward fuselage. The light is identical to the 767-300F emergency exit light used for the emergency exit door of 767-300F Package Freighter and is installed to illuminate the ground under the Boeing Converted Freighter.
4. The occupancy of the 767-300BCF is limited to a maximum of 6 persons, four of whom may be "supernumerary" occupants as defined by §121.583 (a)(1) through (a)(8). Limitations will be imposed on the aircraft operator to find that all occupants are physically able to use the escape means provided.
5. In the small spaces of the occupied portions of the airplane, the crew will easily be able to provide any instructions or assistance needed by the supernumerary occupants. Additionally, there are no flight attendants to require assist space. Therefore the lack of assist space adjacent to the emergency exits will not lower the level of safety in an emergency egress situation.
6. It is the intent of the operator to use the supernumerary capability of the airplane to ferry up to four non-crew occupants. When supernumerary occupants are carried, they will be briefed prior to each flight as to the location and use of the emergency egress assist means and procedures.
7. The oxygen system on the 767-300BCF will be the same as the previously certified 767-300F system, and will serve the two flight crewmembers and the four non-operating occupants. This system has a demonstrated capacity sufficient to meet or exceed the requirements defined by §25.1439(b)(5), §121.329(b)(1), and §121.333(b) for all six occupants.
8. All occupants in the 767-300BCF flight deck will have available the same quick-donning flight crew-type oxygen masks as those previously used and certified on the 767-300F, which are not automatically presented. The location of the supernumeraries with the flight crew and the crew's high level of training will allow the crew to easily command non-operating occupants to don the masks, and verify their proper usage. In addition, the crew has a public address system



which can be heard throughout the flight deck, galley and lavatory. This combination provides an acceptable level of safety with regard to the requirements defined by §25.1447(c)(1) for automatic mask presentation.

The flight deck will be outfitted with a portable walk around oxygen bottle for use by supernumeraries when accessing the main deck Class E cargo compartment. The bottle will be equipped with a supplemental passenger oxygen mask and will supply at least 3.6 liters of oxygen per minute at a 40,000 ft. cabin altitude for not less than 25 minutes. The Class E cargo compartment will not have human occupants for taxi, takeoff or landing.

The lavatory will also be outfitted with a portable oxygen bottle for use by a lavatory occupant during a decompression event. The bottle will be equipped with a supplemental passenger oxygen mask and will supply at least 3.6 liters of oxygen per minute at a 40,000 ft. cabin altitude for not less than 25 minutes. The lavatory area will not be utilized for taxi, takeoff or landing.

9. Evacuation of all occupants through a flight deck window was demonstrated as described in a separate letter, dated January 14, 1987, to the FAA Seattle Aircraft Certification Office (SACO). The demonstration showed 2 women and 5 men of aged from 29 to 52 years and of varying physical stature able to evacuate the flight deck through a window assisted by a rope in 73 seconds. By comparison, the 767-300BCF will have a maximum occupancy of six persons.
10. The flight deck window evacuation procedure, specifically a recommended body-positioning sequence, will be added to the Airplane Flight Manual Supplement of the airplane. Procedures for use of the inertial descent devices and harnesses will also be included in the AFM, and will be posted near Door 1 Left, as well.

*Additional Supporting Information – In-flight Access to Main Deck Class E Compartment*

Class E compartment accessibility – This petition requests supernumerary access to main deck Class E compartment during flight.

Class E compartment level of occupancy – There is one supernumerary allowed access to the Class E compartment at a time since there is only one portable oxygen bottle available for this purpose.

Oral communication ability – There is a Public Address system with speakers in the flight deck and lavatory. There is no oral communication between the flight deck and the supernumerary in the Class E compartment.

Aural and/or visual warning ability – There is a flight crew operated visual signal to alert the supernumerary in the Class E compartment to return to his/her seat.



This is used for smoke/fire and/or turbulence. In the case of smoke/fire this alerting is used in advance of the depressurization aural warning.

Decompression warning – There is an automatically activated aural alerting system, (horns), in the Class E compartment and in the flight deck to direct occupants to don oxygen masks. These horns are activated by the 10,000 ft. cabin altitude switch. The lavatory has a red light to alert the occupant to don the oxygen mask. The Class E compartment aural warning horns and the lavatory red light are also activated by the flight crew operated Depressurization switch in response to a fire.

Oxygen availability –There are pull down flight crew type oxygen masks for all six occupants. There is portable oxygen for Class E cargo compartment access and portable oxygen in the lavatory.

Handholds - As it would be impractical to require handholds throughout the Class E cargo compartment, an acceptable level of safety is provided with a flightcrew-operated visual annunciation in the Class E compartment which indicates that persons must return to their seats.

Additional Supporting Information – Emergency Exits:

The flight compartment on the 767-300BCF is equipped with a crew entry door on the left-hand side of the fuselage. For the purposes of this certification project, this entry door will be derated to meet the applicable requirements of a Type I exit. Additionally, it provides an unobstructed opening of 42 inches wide by 74 inches high and is floor level. However, the right-hand exit (i.e., the sliding flight deck window) does not meet the minimum dimensions of a Type III exit, which is why an exemption from 14 CFR 25.807(d) & (g)(1) is required. Boeing plans to use the same rationale that was used to obtain the same exemption that was granted on the Model 767-300F production freighter.

The flight deck of the Boeing 767 is equipped with openable No. 2 left and right flight deck windows which have been certified as flight crew emergency exits. For the 767-300BCF, the No. 2 right hand flight deck window will be modified to add capability to be opened from outside the airplane, and its means of opening will be marked on the right hand exterior airplane fuselage. The ropes / lanyards installed at the windows will be retained as the emergency egress assist means for these exits. The airplanes will be modified to include an exterior light on the left hand side of the lower forward fuselage. The left hand light is identical to the emergency exit light used for the emergency exit door of the 767-300F.

Additional Supporting Information – Emergency Egress:

The 767-300BCF conversion includes deactivation of all existing passenger doors except for the forward left side passenger door (1L). The forward left side passenger door (1L) will be used both as a service door and as an emergency exit.



The existing flight deck window exits as well as the forward left side passenger door (1L) are all above the waterline of the airplane in a ditching situation.

It is Boeing's position that the combined presence of the forward left side passenger door (1L) and the two window exits, all equipped with assist means appropriate to their use, provide a level of safety for this airplane and its intended use that is equivalent to that provided for other airplanes and/or uses meeting the provisions of 25.807(g)(1) and (i)(1).



*Additional Supporting Information – viewing of the conditions outside the exit:*

The Model 767-300BCF will be equipped with inertial reel descent devices as the assist means at the forward left side passenger door (1L). The ropes/lanyards at both right and left hand sliding cockpit windows will be retained from the Boeing 767-300 passenger model. Section 25.809(a) Amdt. 25-116 requires that each emergency exit must have means to permit viewing of the conditions outside the exit when the exit is closed, including viewing of the likely areas of evacuee ground contact. The door 1L porthole with downward-looking prism and the flight deck windows will permit viewing of the conditions outside the exit when the exit is closed. Once the airplane has come to a stop, viewing of the likely areas of evacuee ground contact, however, will not be possible since these are directly beneath the aircraft. One significant reason for the requirements of 14 CFR 25.809(a) at Amdt. 25-116 is to prevent the deployment of an escape slide into a fire or other hazard, since this deployment is irreversible, and door re-closure is necessarily impeded by the deployed slide due to its interface with floor structure immediately inboard of the door sill. In most cases, the presence of a fire in the vicinity of the left-hand flight deck window and Door 1L would be readily and easily recognizable by the flight deck crew as the airplane slows to a stop. In these cases, the flight deck crew would command evacuation from the right-hand flight deck window. However, if a fire is detected beneath the left-hand emergency exit of the 767-300BCF after that door or the left-hand flight deck window is opened, the door or window may be easily closed again because the passenger escape slide would not be in the way of the door mechanism as it is not installed on the 767-300BCF. This provides an acceptable level of safety with respect to the requirements of 14 CFR 25.809(a) at Amdt. 25-116.

*Additional Supporting Information – Egress Assist Means:*

The 767-300BCF will be equipped with inertial descent devices as assist means at the forward left side passenger door (1L). Inertial reel descent devices at exit doors have been shown to be as safe and effective as automatically erected slides for evacuating small numbers of occupants. Demonstrations and actual emergencies in which slides have been used to rapidly evacuate airplanes typically have resulted in injuries to the evacuees. The use of reels with a small number of occupants has the

potential to mitigate injury during evacuation. Also, the use of reels, or reels plus harnesses, is a simple, intuitively obvious process, is not strenuous, and does not require specific positioning or movements by the evacuees.

The right-hand cockpit window will be modified to be externally operable, and the ropes/lanyards at both windows retained from the 767-300 passenger model. The proximity of the ropes installed at the flight deck windows to the flight crew, who will be able to insure proper use by all occupants, provides a significant offsetting consideration in lieu of automatically erected means.



In Exemption 4808A for the 757-200 Package Freighter (PF), the FAA concurred that safe evacuation of 2 crewmembers and 5 non-crewmembers could be effected using the exits and egress means provided aboard that airplane, which included one door of Type II size equipped with inertial descent devices, and one internally operable window and one window operable both internally and externally, both equipped with ropes.

This evacuation capability was substantiated by the evacuation demonstration successfully conducted for 757-200PF certification on January 14, 1987. The demonstration was conducted on a passenger Model 757-200 airplane modified to represent the 757-200PF in the applicable areas. The evacuation demonstration involved five males and two females ranging in age from 29 to 52 and of varying physical stature. The right-hand number two window was chosen for demonstration because it was selected as the most critical evacuation route from the flight compartment. For this test, the co-pilot and the pilot had their seats in the forward position, seat belts fastened, and the right-hand number two window closed and latched. At the signal for evacuation, the co-pilot unfastened his seat belt, moved the seat aft, opened right-hand number two window, and deployed the escape rope. After the escape rope was deployed, the co-pilot evacuated from the airplane. After the co-pilot reached the ground the five supernumeraries and the pilot evacuated the airplane. The evacuation was completed in approximately 73 seconds. By comparison, the Boeing 767-300BCF will have a maximum occupancy of six persons.

The flight deck window evacuation procedure, specifically a recommended body-positioning sequence, will be added to the Airplane Flight Manual Supplement (AFMS) of the airplane. Procedures for use of the inertia descent devices and harnesses will also be included in the AFMS, and will be posted near the door 1L, as well.

*Additional Supporting Information – Emergency Egress Lighting & Signage:*

The forward left side passenger door (1L) emergency exit signage includes downward directed illumination of the floor at the door threshold. Emergency



egress path marking lights will not be installed, as the proximity of the occupants to the flight deck windows and the forward left side passenger door provides an acceptable level of safety with regard to the requirements of 14 CFR 25.812(e).

*Additional Supporting Information – Flight Attendant's Assist Space*

In the small spaces of the occupied portions of the airplane, the crew will easily be able to provide any instructions or assistance needed by the supernumerary occupants. Additionally, there are no flight attendants who would normally utilize the required assist space. Therefore, the lack of assist space adjacent to the emergency exits will not lower the level of safety in an emergency egress situation. In addition, supernumeraries will be briefed prior to each flight as to the location and use of the emergency egress assist means and procedures.

*Additional Supporting Information – Oxygen System and Capacity*

The oxygen system on the Boeing 767-300BCF will be similar to the previously certified 767-300F system and will serve the two flight crew members and the four non-operating occupants. The system has a demonstrated capacity sufficient to meet or exceed the requirements defined by §25.1439(b)(5), §121.329(b)(1), and §121.333(b) for all six occupants.

All occupants in the Boeing 767-300BCF flight deck will have available the same quick-donning flight crew-type oxygen masks, which are not automatically presented. The location of the supernumeraries with the flight crew and the crew's high level of training will allow the crew to easily command non-operating occupants to don the masks, and verify their proper usage. In addition, the crew has a public address system which can be heard throughout the flight deck, galley and lavatory. This combination provides an acceptable level of safety with regard to the requirements defined by §25.1447(c)(1) for automatic mask presentation.

For purposes of evaluation of the reserve oxygen available with a common system for passenger and crew, all six occupants were considered to be crew. The minimal undiluted oxygen supply to the flight deck is sufficient for all six occupants during emergency descent in response to a rapid depressurization; or in a detection event, for smoke detection, descent phases, and 30 minutes of depressurized flight at 25,000 feet cabin altitude for the purpose of fire suppression.

In comparison, the 767-300F has been certified with a 110 cubic foot gaseous oxygen capacity, which provides sufficient oxygen for the above described situations for seven occupants. The Boeing 767-300BCF will use a similar oxygen system as the 767-300F, retaining the same 110 cubic foot oxygen capacity, for only six persons.



Each oxygen dispensing outlet to be used in the flight deck includes shutoff capability. The proximity of the non-operating occupants to the flight crew will allow the pilot and/or first officer to command shutoff of these outlets. Incorporation of additional capability to shut off the oxygen flow to non-operating occupants in order to preserve supplies for the operating crew would not enhance safety aboard the Boeing 767-300BCF beyond that afforded by the current system in use on 767-300F.



The portable oxygen bottle used in the lavatory utilizes a separate oxygen canister and is not part of the gaseous system that serves the flight deck. Therefore, use of this system will not affect the crew oxygen capacity.

Boeing is petitioning for relief to allow the supernumeraries to enter the Class E cargo compartment in flight to tend to animals or hazardous cargo. In order to provide an acceptable level of safety to the "immediately available" requirement of § 25.1447(c)(1), each supernumerary will carry on his or her person a portable oxygen bottle with a mask connected to it while in the Class E cargo compartment.

Section 25.1447(c)(1) also requires automatic presentation of the oxygen dispensing units. For seated passengers in typical passenger airplanes, the automatic presentation of masks throughout the cabin indicates the need to don an oxygen mask. However, supernumeraries in the Class E cargo compartment will not have this indication. To provide an acceptable level of safety, an automatically activated aural decompression signal will be immediately recognizable throughout accessible areas in the Class E cargo compartment. Operation of this signal will be automatic at 10,000 ft. cabin altitude or with flightcrew action for Class E depressurization.

*Additional Supporting Information – Instructions to Occupants:*

The occupancy of the Boeing 767-300BCF is limited to a total of 6 persons, four of whom may be "supernumerary" occupants as defined by § 121.583(a)(1) through (a)(7). Boeing will include a flight deck evacuation procedure in the Airplane Flight Manual Supplement for the use of ropes / lanyards when exiting the airplane through the flight deck windows. The Supplement will also include the requirements for the specific techniques for emergency egress to be briefed to non-crew occupants before each flight. The Operations Manual will include limitations upon the Operator to find that all occupants are physically able to use the egress assist means provided. The Operations Manual will also contain illustrated sequences showing the recommended evacuation procedures for emergency egress through either the window exits or crew entry door using an inertial reel and harness, which will be required to be briefed to all non-crew occupants prior to each flight.

Evaluation of Public Interest

The grant of this exemption will improve the utility of the airplane for the operator by ensuring needed cargo management personnel will be available in flight and at each flight destination. The presence of trained personnel when cargo is carried aboard the aircraft will preserve proper flight safety and is therefore in the public interest.

These capabilities will improve cargo carrying efficiency and will tend to reduce overall airfreight rates, as competitive pricing structures among freight operators will be promoted; the public interest is served by lower freight rates and competitive pricing.

As 767-300 Passenger airplanes are moved into cargo service, passenger airline operators will replace them with airplanes meeting newer safety requirements, which will serve to elevate safety levels across operating fleets. An overall elevation of safety is in the public interest.

Petition for Exemption

In consideration of the foregoing discussion, Boeing Commercial Airplanes petitions for exemption from the following portions of 14 CFR Part 25 for Model 767-300 Passenger airplanes converted to Freighters under BDCO Project PS05-0037:

§25.785(j) Amendment 25-88 as handholds are not readily available in the Class E cargo compartment so that occupants may steady themselves in the event of mild turbulence.

§25.807(d) & (g)(1) Amendment 25-114 as the right-hand exit (i.e., the sliding flight deck window) does not meet the minimum dimensions of a Type III exit.

§25.807(i)(1) Amendment 25-114 as the right-hand exit (i.e., the sliding flight deck window) does not meet the dimensions of a Type IV exit.

§25.809(a) Amendment 25-116 as the emergency exits do not have means to permit viewing of the likely areas of evacuee ground contact when the exit is closed. For the 767-300BCF the likely areas of evacuee ground contact are directly beneath the aircraft, making a viewport impractical.

§25.810(a)(1) Amendment 25-114 as the non-overwing passenger emergency exits do not have self supporting slide and the 767-300BCF does not carry such slides.





§25.812(e) Amendment 25-116 is necessary because it requires that floor proximity emergency escape path markings must provide emergency evacuation guidance for passengers. The 767-300BCF does not have such emergency escape path markings.

§25.813(b) Amendment 25-116 is necessary because it requires that adequate space to allow crewmember(s) to assist in the evacuation of passengers must be provided at emergency exits. The 767-300BCF does not have such crewmember assist space.

§25.857(e) Amendment 25-93 is necessary because the regulation precludes the carriage of persons other than crew on airplanes equipped with a Class E cargo compartment. An additional exemption from 14 CFR 25.857(e) is required to allow supernumerary access to the main deck class E cargo compartment while in flight.

25.1447(c)(1) Amendment 25-116 is necessary because it requires that oxygen dispensing units must be automatically presented to the occupants before the cabin pressure altitude exceeds 15,000 feet. The 767-300BCF does not have such automatically presented oxygen dispensing units.

**Request to operate under this exemption outside the United States.**

Per the requirements of § 11.83, Boeing requests that the relief granted by this exemption remain in effect for operations outside of the United States. The reason for this use is that, as a long range freighter aircraft it is reasonable to expect that the 767-300BCFs will be used for international flights including flights between points outside of the United States.

**Request for Waiver of Publication**

Boeing proposes that good cause exists to waive the publication and comment requirements of §§ 11.85, 11.87, and 11.89. In particular, Boeing proposes that the intent of this petition, the reasons presented, and the relief requested are identical to those of exemptions previously granted by the FAA. In response to the criteria found in 14 CFR 11.87, Boeing justifies its request as follows:

(a) Granting Boeing's petition would not set a precedent. No new design feature is introduced and the reasons presented for exemption are similar to those for which an exemption has been previously granted.

(b) The relief requested is identical to exemptions granted previously. (See Exemption Numbers 4808/4808A, 7469, and 8258.)

(c) This petition, if delayed, would adversely affect the 767-300BCF program. The redelivery of the first airplane is scheduled for June 17, 2008. Prompt action on this petition would be greatly appreciated.

(d) Boeing has filed its petition in a timely manner. 14 CFR 11.63(d) reads: (d) Submit your petition for exemption 120 days before you need the exemption to take effect.

Accordingly, Boeing requests a waiver for the publication and comment period, so that operators of Boeing 767-300BCF airplanes can return to revenue operations without delay.

### Summary for the Federal Register

*Boeing hereby petitions the FAA for exemption from 14 CFR 25.785(j), 25.807(d),(g)(1) & (i)(1), 25.810(a)(1), 25.812(e), 25.813(b), 25.857(e) and 25.1447(c)(1) to allow carriage of up to 4 supernumeraries on the flight deck of the 767-300 Boeing Converted Freighter (BCF) airplane while maintaining a class E cargo compartment.*

*Exemption from 14 CFR 25.785(j) is necessary because handholds are not readily available in the Class E cargo compartment so that occupants may steady themselves in the event of mild turbulence. Exemption from 14 CFR 25.807(d) & (g)(1) is necessary because the right-hand exit (i.e., the sliding flight deck window) does not meet the minimum dimensions of a Type III exit. Exemption from 14 CFR 25.807(i)(1) is necessary because the right-hand exit (i.e., the sliding flight deck window) does not meet the dimensions of a Type IV exit. Exemption from 14 CFR 25.809(a) Amendment 25-116 is necessary because it requires that each emergency exit must have means to permit viewing of the likely areas of evacuee ground contact when the exit is closed. For the 767-300BCF the likely areas of evacuee ground contact are directly beneath the aircraft, making a viewport impractical. Exemption from 14 CFR 25.810(a)(1) is necessary because it requires that each non-overwing passenger emergency exit more than 6 feet from the ground have a self supporting slide and the 767-300BCF does not carry such slides. Exemption from 14 CFR 25.812(e) is necessary because it requires that floor proximity emergency escape path markings must provide emergency evacuation guidance for passengers. The 767-300BCF does not have such emergency escape path markings. Exemption from 14 CFR 25.813(b) is necessary because it requires that adequate space to allow crewmember(s) to assist in the evacuation of passengers must be provided at emergency exits. The 767-300BCF does not have such crewmember assist space. Exemption from 14 CFR 25.857(e) is necessary because the regulation precludes the carriage of persons other than crew on airplanes equipped with a Class E cargo compartment. An additional exemption from 14 CFR 25.857(e) is required to allow supernumerary access to the main deck class E cargo compartment while in flight. Exemption from 14 CFR 25.1447(c)(1), is necessary because it requires that oxygen dispensing units must be automatically presented to the occupants before the cabin pressure altitude exceeds 15,000 feet. The 767-300BCF does not have such automatically presented oxygen dispensing units.*

*The 767-300BCF is the result of a retrofit conversion a 767-300 passenger airplane to a Boeing Converted freighter configuration. The primary changes resulting from this conversion are the modification of the main deck of the airplane from a passenger cabin to a Class E cargo compartment, (as defined in 14 CFR 25.857), and an interior reconfiguration of the flight deck of the airplane to allow carriage of up to 4 supernumeraries. The 767-300BCF flight deck seating arrangement, emergency exit arrangement, emergency egress means and emergency equipment are essentially the same as that found on the previously certified Boeing 767-300F.*



Please contact this office, Certification Manager Mr. Joseph Indovina at (425) 266-0767 or Mr. Bernard Davidson at (425) 717-3724 if you have further questions.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Joe Indovina'.

J. B. Indovina  
Manager, Puget Sound Certification Office  
Technical Services, M-MB0H  
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Enclosures: none  
cc

Name	Enclosures	EDT	Comments
Jim Cashdollar	No	Yes	
Jeffrey Duven	No	No	
Roxanne Pinkstaff	No	Yes	
John Hill	No	Yes	
Jayson Claar	No	Yes	
Meghan Gordon	No	Yes	